

## **The Section 102 Rejection:**

Claim 22 is rejected under Section 102 as anticipated by U.S. Patent No. 4,389,201 to Hansler et al. (“Hansler”). The examiner appears to have overlooked the claim language distinguishing Claim 22 from Hansler, or mischaracterizes what Hansler fairly discloses. Reconsideration and withdrawal of the rejection is solicited.

As disclosed in the “Background Of The Invention” at page 1, in the manufacture of lamps, it is generally desirable to provide a controlled atmosphere for many of the lamp components by enveloping the components within an outer lamp jacket. In an incandescent lamp, the outer lamp jacket envelopes the lamp filament, and in a high intensity discharge lamp, the outer lamp jacket envelopes the arc tube. Figure 1 illustrates certain steps in the manufacture of a high intensity discharge lamp. As illustrated in Figure 1, the outer lamp jacket 14 is sealed to the lamp stem 12. The arc tube for the lamp (not shown) is mounted within the interior of outer lamp jacket 14.

Claim 22 recites, inter alia, a method of making a lamp having an outer lamp jacket, including the steps of “flushing and filling the space enveloped by the outer lamp jacket and then hermetically sealing the space”. Hansler discloses a method of making an arc tube for a high pressure metal vapor lamp.

In forming the rejection, the examiner appears to have generalized the distinctive components of “outer lamp jacket” and “arc tube” in the manufacture of lamps as “bulbs”. For example, the examiner refers to Figure 20 of Hansler as disclosing a “bulb” although Hansler refers to element 31 as the “arc tube” or “lamp body”. (see column 3, lines 61-62) The arc tube disclosed in Hansler is distinct from the outer lamp jacket of

the present invention as recited in Claim 22. There is no disclosure or suggestion in Hansler of any methods of making lamps including the steps of “flushing and filling the space enveloped by the **outer lamp jacket** and then hermetically sealing the space” as recited in Claim 22. (emphasis added) Hansler does not anticipate or make obvious the invention of Claim 22. Withdrawal of the rejection of Claim 22 is solicited.

**The Double Patenting Rejection:**

Claims 17, 20, 22-25, and 27 are provisionally rejected under obviousness-type double patenting over Claim 3 in co-pending application S.N. 09/800,669. Claim 26 is provisionally rejected under obviousness-type double patenting over Claim 50 in co-pending application S.N. 09/800,669. Reconsideration and withdrawal of the rejections are solicited.

The examiner bases the rejections on the assertion that the rejected claims in the present application are broader than the respective cited claim in the co-pending application. The examiner is in error. The claims in the present application are patentably distinct from the cited claims in the co-pending application. The rejected claims in the present application are each directed to a method of making a lamp having a gas filled outer lamp jacket and include steps pertaining to the sealing of the outer lamp jacket. Claims 3 and 50 of the cited co-pending application are each directed to a method of making an arc tube. As discussed above, the outer lamp jacket and the arc tube are separate and distinct components in a high intensity discharge lamp. Withdrawal of the double-patenting rejection is solicited.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,

L. Lawton Rogers, III  
Reg. No. 24,302  
D. Joseph English  
Reg. No. 42,514  
Mark C. Comtois  
Reg. No. 46,285  
Patrick D. McPherson  
Reg. No. 46,255

DUANE MORRIS LLP  
1667 K Street, N.W., Suite 700  
Washington, D.C. 20006  
Telephone: (202) 776-7800  
Telecopier: (202) 776-7801

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